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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/584,501	06/22/2006	Kornelis Meinds	348162-982860	4592
94518 7590 09/27/2010 DLA PIPER LLP (US) 2000 UNIVERSITY AVENUE EAST PALO ALTO, CA 94303				
EXAMINER				
GOOD JOHNSON, MOTTLEWA				
ART UNIT		PAPER NUMBER		
2628				
MAIL DATE		DELIVERY MODE		
09/27/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/584,501

Applicant(s)

MEINDS ET AL.

Examiner

M GOOD JOHNSON

Art Unit

2628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 May 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/CD)
Paper No(s)/Mail Date 05/26/2010
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 05/26/2010 has been entered.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 15 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 15 is rejected under 35 U.S.C. 101 as not falling within one of the four statutory categories of invention. The claims recite a computer program product. The specification fails to disclose a computer program product and therefore would be interpreted by one of ordinary skill in the art at a computer program, which fails to fall within one of the statutory categories of invention.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Ren et al., *Object Space EWA Surface Splatting: A Hardware Accelerated Approach to High Quality Point Rendering*, Volume 21, EUROGRAPHICS 2002, pages 461-470.

Ren discloses computer graphics processor, having a forward mapping renderer, comprising: a texture space rasterizer for rasterizing a primitive in texture space (page 464, 1st col., a textured polygon represents a surfel, the surfel is rasterized, and page 466, figure 8), a color generating unit for determining the color of the output of the texture space rasterizer and for forwarding a color sample along with coordinates (page 462, col. 2, section 3), a 2-pass screen space resampler for resampling the color sample determined by the color generating unit (page 464, col. 1, 1st paragraph, the first pass for an opaque polygon and the second pass for semi-transparent alpha texture), and at least one one-dimensional blur filter unit associated to at least one pass of said screen space resampler for performing a one-dimensional blur filtering before performing said at least one pass (page 464, col. 1, 1st paragraph)

Regarding claim 2, Ren discloses a first and a second one-dimensional blur filter unit wherein said screen space resampler comprise a first pass and a second pass screen space resampler (page 464), wherein said first blur filter unit is arranged before said first pass screen space resampler and said second blur filter unit is arranged before a second pass screen space resampler (page 466).

Regarding claim 3, Ren disclose the first and second blur units are one-dimensional blur filters having footprints with a size depending on a corresponding shear factor (page 465, col. 1, see also figure 5).

Regarding claim 4, Ren discloses said rasterizer is adapted to determine said shear factor (page 464, performing visibility splatting, which Examiner interprets as determining a shear factor).

Regarding claim 5, Ren discloses a delay unit for storing a plurality of color samples to perform an averaging of overlapping color samples in order to determine blurred color samples (page 467, section 1, colors retrieved from the input register for the diffuse color and the storing texel alpha values in the alpha channel)

Regarding claim 6, Ren discloses first and second blur filter units are box low pass filter having a footprint determined by the shear factor (figure 8).

Regarding claim 7, Ren discloses first and second blur filter units are low pass filter having a weighted footprint (page 461, col. 2 and page 463, col. 1).

Regarding claims 8-15, they are rejected based upon similar rational as above claims 3-6.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to M GOOD JOHNSON whose telephone number is (571)272-7658. The examiner can normally be reached on Monday-Friday 8-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Wang can be reached on (571) 272-0811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Motilewa Good-Johnson/
Primary Examiner, Art Unit 2628